

*Amendment and Response to Office Action
U.S. Serial No.: 10/619,091
Filed: July 14, 2003
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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of the claims in the application.

Claims Listing

1. (Currently amended) A test strip comprising a magnetically attractive material at one or more locations upon the test strip such that the test strip moves or adopts a specific spatial orientation or alignment when exposed to a magnetic field.

2. (Currently amended) The method of Claim 16 test strip of claim 1, wherein the magnetically attractive material is present in the test strip ~~in an amount and at one or more locations upon~~ at one end of the test strip such that the test strip moves or adopts a specific spatial orientation or alignment when exposed to a magnetic field.

3. (Currently amended) The method of Claim 16 test strip of claim 1, wherein:

the test strip is substantially flat and has a rectangular shape such that the test strip possesses two short edges of a first length and two long edges of a second length, the second length being longer than the first length; and

the magnetically attractive material is present in a zone on the test strip that is located such that the distance from the zone to one of the two short edges is shorter than the distance from the zone to the other of the two short edges.

4. (Currently amended) The method of Claim 16 test strip of claim 1, wherein the magnetically attractive material is a tape affixed to the test strip, ~~wherein the tape comprises iron.~~

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5. (Currently amended) ~~A test kit comprising the test strip of claim 1~~ The method of Claim 16 wherein the tapc comprises iron.

6. (Currently amended) A plurality of test strips comprising:
a first test strip ~~that is the test strip of claim 1~~ comprising a magnetically attractive material; and

a second test strip ~~that comprises~~ comprising substantially no magnetically attractive material or comprises a sufficiently less magnetically attractive material or a sufficiently smaller amount of magnetically attractive material than the first test strip such that:

wherein the first test strip exhibits a response to a magnetic field and the second test strip will exhibit a exhibits substantially no response to a magnetic field that ~~differs from the response of the first test strip thereto.~~

7. (Currently amended) A method of sorting the plurality of test strips of claim 6, comprising:

applying ~~a~~ the magnetic field to the plurality of test strips, and
separating the first test strip from the second test strip by use of the difference in the responses of the first test strip and the second test strip to the magnetic field.

8. (Currently amended) The method of Claim 7, wherein the difference in the responses of the first test strip and the second test strip to the ~~specific~~ magnetic field comprises movement of the first test strip in response to the ~~specific~~ magnetic field and substantially less movement or no movement of the second test strip in response to the ~~specific~~ magnetic field.

Claims 9-15. (Cancelled).

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16. (Currently amended) A method of aligning, ~~moving, immobilizing,~~ or orienting ~~one or more test strips,~~ wherein:

~~the one or more test strips are the test strip of claim 1, and~~
~~aligning, moving, immobilizing, or orienting the one or more test strips~~
~~comprises~~ comprising exposing the test ~~strips~~ strip to a magnetic field.

17. (Currently amended) The method of claim 16, wherein:

~~the one or more test strips are~~ test strip is substantially flat and ~~have~~ has a rectangular shape such that the ~~test strips possess~~ test strip possesses two short edges of a first length and two long edges of a second length, the second length being longer than the first length; and

~~the magnetically attractive material is present in a zone that is located on the one or more test strips~~ test strip such that the distance from the zone to one of the two short edges is shorter than the distance from the zone to the other of the two short edges.

18. (Currently amended) A method of counting test strips wherein the test strips are a plurality of the test strip of claim 1 ~~and the method comprises:~~ the method comprising

applying a magnetic field to the test strips under such conditions as to cause the test strips to move; and

counting the test strips as they move in response to the magnetic field.

19. (Currently amended) The method of ~~claim 19~~ Claim 18, wherein:

- a) the test strips are located in a container prior to moving;
- b) the strips exit the container when they move in response to the magnetic field; and

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c) counting the test strips as they move in response to the magnetic field ~~comprises~~ by monitoring changes in the gross weight of the container as the test strips exit the container.

20. (Currently amended) The method of claim 18, wherein:

a) the test strips are deposited into a container after the test strips move in response to the magnetic field; and

b) counting the test strips as they move in response to the magnetic field comprises monitoring changes in the gross weight of the container as the test strips ~~exit~~ enter the container.

21. (New) A method of counting test strips wherein the test strips are a plurality of the first test strip of Claim 6, the method comprising

applying a magnetic field to the test strips under such conditions as to cause the test strips to move; and

counting the test strips as they move in response to the magnetic field.

22. (New) The method of Claim 21, wherein

a) the test strips are located in a container prior to moving;

b) the strips exit the container when they move in response to the magnetic field; and

c) the test strips are counted as they move in response to the magnetic field by monitoring changes in the gross weight of the container as the test strips exit the container.

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23. (New) The method of Claim 21, wherein

a) the test strips are deposited into a container after the test strips move in response to the magnetic field; and

b) the test strips are counted as they move in response to the magnetic field by monitoring changes in the gross weight of the container as the test strips enter the container.